

# **Exhibit 3**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

GREGORY W. BARAN, M.D.,	)	
	)	
Plaintiff,	)	Civil Action No.: 1:04CV1251
	)	
vs.	)	Honorable Judge O'Malley
	)	
MEDICAL DEVICE TECHNOLOGIES,	)	Mag. Judge Baughman
INC.,	)	
	)	
Defendants.	)	

**AFFIDAVIT OF MAJID RASHIDI, Ph.D., P.E.**

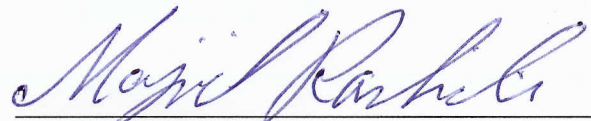
I, Dr. Majid Rashidi, hereby state that if called as a witness in the above-captioned matter, that I would be competent to testify as to the following:

1. I am a Professor in the Mechanical Engineering Department of Cleveland State University, in Cleveland, Ohio.
2. I have been retained by Medical Device Technologies, Inc. ("MDTech") as an expert in the above referenced matter to provide study, consultation, opinions, conclusions, evidence and testimony pertaining to issues related to this matter.
3. Attached as Exhibit A hereto is a true and correct copy of my Expert Report of Majid Rashidi, Ph.D, P.E., dated February 22, 2008.
4. Attached as Exhibit B hereto is a true and correct copy of my Supplemental Expert Report of Majid Rashidi, Ph.D., P.E., dated September 10, 2008.

5. Exhibits A and B correctly express my opinions and reasons supporting these opinions as they relate to the BioPince device and U.S. Patent No. 5,025,797, and if called upon as a witness in this matter, I would testify in conformity with the opinions expressed therein.

I verify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on: December 19, 2008

  
Majid Rashidi, Ph.D., P.E.

**CERTIFICATE OF SERVICE**

I hereby certify that on December 22, 2008, a copy of foregoing **AFFIDAVIT OF MAJID RASHIDI, Ph.D., P.E.** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

Dated: December 22, 2008

Respectfully submitted,

By: /s/ Monica L. Thompson

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INC.**